

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MEDTECH,

Plaintiff(s),

Index No. 07 CV 3302(KMK)(LMS)

-against-

RANIR, LLC, ET AL.,

Defendant(s).

AFFIDAVIT OF SERVICE

-----X  
STATE OF NEW YORK )

S.S.

COUNTY OF NEW YORK)

TIMOTHY M. BOTTI, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 8<sup>th</sup> day of October 2007, at approximately the time of 5:15 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, SECOND AMENDED COMPLAINT FOR INJUNCTIVE RELIEF AND MONEY DAMAGES, JURY DEMAND, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE LISA MARGARET SMITH, INDIVIDUAL PRACTICES OF KENNETH M. KARAS, CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE, 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL, GUIDELINES FOR ELECTRONIC CASE FILING AND PROCEDURES FOR ELECTRONIC CASE FILING** upon Kelly M. Kaplan at 4 Woodmont Road, Upper Montclair, NJ 07043, by personally delivering and leaving the same with her husband, Kevin Martin, a person of suitable age and discretion at that address, the actual place of residence. At the time of service, deponent asked if Kelly M. Kaplan is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.

Kevin Martin is a black male, approximately 51 years of age, stands approximately 5 feet 10 inches tall and weighs approximately 175 pounds with shaved head and dark eyes.

That on the 9<sup>th</sup> day of October 2007, deponent served another copy of the foregoing upon Kelly M. Kaplan at 4 Woodmont Road, Upper Montclair, NJ 07043, by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words

"PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York.

  
TIMOTHY M. BOTTI #843358

Sworn to before me this  
10<sup>th</sup> day of October, 2007

  
NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 01RI6109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 2008